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Trustee

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re :
 : Chapter 7
JEFFREY WINICK, :
 : Case No. 20-11976 (SHL)
Debtor. :
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NOTICE OF SELECTION OF SUCCESSFUL BIDDER

WHEREAS, on October 5, 2021, Gregory M. Messer, as Chapter 7 trustee (the “Trustee”) of the (“Estate”) of Jeffrey Winick, filed his *Motion for Entry of an Order, Pursuant to 11 U.S.C. § 363(b), (f) and (m) and Fed. R. Bankr. P. 2002 and 6004 (I) Authorizing Sale of Estate’s Right, Title and Interest in Winick Realty Group LLC and WTN Realty Corp. to Opening Bidder, Subject to Higher and Better Officers; (II) Approving Bidding Procedures; (III) Authorizing the Trustee to Close on the Sale to the Opening Bidder or Successful Bidder at Auction; and (IV) Granting Related Relief* [Dkt. No. 75] (the “Motion”)¹ seeking, *inter alia*, authorization to sell the Estate’s right, title and interest in Winick Realty Group LLC and WTN Realty Corp. (the “Assets”) to Louis Eisinger, Steven Baker and Lee Block (collectively, the “Opening Bidder”)² for a purchase price of \$310,000.00, subject to higher and better offers received at Auction; and

¹ Terms capitalized but not defined herein shall have the meanings ascribed to them in the Motion.

² As set forth in the letter of the United States Attorney, dated November 8, 2021 [Docket No. 80], the Opening Bidder has expressed a desire/intention to include others, including the Debtor’s daughter Danielle Winick Lapidus, as part of the Opening Bidder’s bid. The Opening Bidder subsequently disclosed that it desires/intends to also add Hal Shapiro and Ken Hochhauser, as part of the Opening Bidder’s bid, resulting in a desired allocation of the Assets, subject to further adjustment, at 7.94% to Steven Baker, 23.81% to Lee Block, 3.97% to Louis Eisinger, 7.94% to Hal Shapiro, 7.94% to Ken Hochhauser and 48.41% to Danielle Lapidus. The Opening Bidder has offered to provide, and has provided, further details to the United States Attorney and the Trustee to address the matters raised in the United States Attorney’s letter. The issues raised by the United States Attorney have not been resolved at the time of filing this notice. Unless and until resolved, the Trustee intends to move forward with seeking approval of the transaction as set forth in the September 28, 2021 sale agreement between the Opening Bidder(s) and Trustee.

WHEREAS, an Auction for the sale of the Assets was held on November 9, 2021, and no competing bids for the Assets were received;

PLEASE TAKE NOTICE THAT the Trustee, in consultation with his counsel and sales agent, has determined that the bid of the Opening Bidder was the highest and best offer received for the Assets at the Auction; and

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Motion and Notice of Hearing thereon filed contemporaneously therewith [Dkt. No. 74] (the “Notice of Hearing”), the Trustee will seek approval of the Motion and sale of the Assets to the Opening Bidder (the “Successful Bidder”) at the hearing to be held on **November 18, 2021 at 10:00 a.m. (EST)**; and

PLEASE TAKE FURTHER NOTICE THAT, objections to the relief sought in the Motion or the selection of the Successful Bidder must be filed and served in accordance with the Notice of Hearing no later than **5:00 p.m. (EST) on November 12, 2021**.

Dated: New York, New York
November 10, 2021

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

By: /s/ Fred Stevens

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